

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

THE MUNICIPALITIES OF BAYAMÓN,)
CAGUAS, LOIZA, LARES, BARRANQUITAS,)
COMERIO, CAYEY, LAS MARIAS, TRUJILLO)
ALTO, VEGA BAJA, ANASCO, CIDRA,)
AGUADILLA, AIBONITO,)

Plaintiffs,)

v.)

EXXONMOBIL CORP, ET AL.)

Defendants.)

Civil Action No. 22-CV-1550 HRV

JOINT MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE RESPOND TO THE AMENDED COMPLAINT
AND FOR LEAVE TO FILE EXCESS PAGES

COME NOW the Plaintiffs and Defendant American Petroleum Institute, Inc. (“API”) (collectively for this motion only, the “Parties”), through their respective undersigned counsel, and hereby move this Court pursuant to Fed. R. Civ. P. 6(b)(1)(A) and Local Rule 6 for an Order extending the time for API to file its motions to dismiss through February 13, 2024.¹ In support of this motion, the Parties state and pray as follows:

1. The Complaint was filed in this Court on November 22, 2022. ECF Doc. No. 1. API was not a party to the Complaint.
2. The Amended Complaint was filed on November 3, 2023 and named API as a defendant. ECF No. 205. API was served with the Amended Complaint on January 3, 2024.
3. On November 27, 2023, prior to service of the Amended Complaint on API, the Court set a briefing schedule with regard to any Defendant who will be filing a motion to dismiss the

¹ This motion does not operate as an admission of any factual allegation or legal conclusion and is submitted subject to and without waiver of any right, defense, affirmative defense, claim, or objection, including lack of subject matter jurisdiction, lack of personal jurisdiction, or insufficient service of process

Amended Complaint. Under the November 27, 2023 order, Defendants have until January 30, 2024 to file motions to dismiss the Amended Complaint, Plaintiffs have until April 15, 2024 to file oppositions, and Defendants have until July 1, 2024 to file reply briefs.

- a. For any individual Defendant's motion to dismiss, the Court's order limits Rule 12(b)(6) motions to dismiss to 15 pages, Rule 12(b)(2) motions to dismiss to 15 pages, and anti-SLAPP motions to dismiss to 25 pages.
 - b. For the Plaintiffs' responses to any individual Defendant's motion to dismiss, the Court's order limits responses to Rule 12(b)(6) motions to dismiss to 15 pages, responses to Rule 12(b)(2) motions to dismiss to 15 pages, and responses to anti-SLAPP motions to dismiss to 25 pages.
 - c. For any individual Defendant's reply in support of an individual motion to dismiss, the Court's order limits replies in support of Rule 12(b)(6) motions to dismiss to 10 pages, replies in support of Rule 12(b)(2) motions to dismiss to 10 pages, and replies in support of anti-SLAPP motions to dismiss to 15 pages.
4. Plaintiffs and API have subsequently agreed to, and thus request that the Court, extend the deadline for API to file its individual Motions to Dismiss by two weeks (i.e., through February 13, 2024), with Plaintiffs' deadline to file oppositions extended by two weeks (i.e., through April 29, 2024), and API's deadline to file reply briefs extended by two weeks (i.e., through July 15, 2024).
5. Plaintiffs and API have also agreed, and request that the Court allow, that for API's individual Rule 12(b)(6) motion to dismiss, API will have a 25-page limit for its motion, Plaintiffs will have a 25-page limit for their opposition, and API will have a 15-page limit for its reply.

6. The other procedural stipulations addressed by the Court to remain unaltered.

WHEREFORE, the Parties respectfully request that this Honorable Court enter an Order:

1. Extending the time for Defendant API to file its individual Motions to Dismiss until February 13, 2024.
2. Extending the time for Plaintiffs to file responses to API's individual Motions to Dismiss until April 29, 2024.
3. Extending the time for Defendant API to file its individual replies in support of its Motions to Dismiss until July 15, 2024.
4. Extending the page limits for API's individual Rule 12(b)(6) Motion to Dismiss so that API has a 25-page limit for its initial motion, Plaintiffs have a 25-page limit for their response, and API has a 15-page limit for its reply.

Respectfully submitted, this 25th day of January 2024.

/s/ Marc. D. Grossman

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CERTIFICATE OF SERVICE

I hereby certify that today I have electronically filed this motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

/s/ Iván J. Lladó
Iván Lladó